

**CRIMINAL DOCKET
UNITED STATES DISTRICT COURT**

D. C. Form No. 100A Rev.

TITLE OF CASE	ATTORNEYS
<p>THE UNITED STATES</p> <p>vs.</p> <p>James Alfred Donald, Jr.</p>	<p><i>For U. S.:</i></p> <p>Hubert H. Bryant Asst. U. S. Atty.</p> <p><i>For Defendant:</i></p> <p>John S. Athens (Apptd.) 707 FNBk Bldg. Tulsa, Okla. 74103</p> <p>Gordon Cecil (for arraign) Joe Fulton (for sentence)</p>

STATISTICAL RECORD	COSTS		DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed 1-31-71	Clerk					
J.S. 3 mailed 6-30-71	Marshal					
Violation NMVTA	Docket fee					
Title 18						
Sec. 2312						

DATE	PROCEEDINGS
1-21-71	Indictment, filed in open court. b
1-21-71	Record vote of the grand jury, filed in open court. b
2-2-71	Defendant present in person and represented. At govt's request arraignment is passed to Tues. Feb 9, 1971 at 10:00 A.M.(AEB-J)h
2-9-71	Defendant present in person and represented. Defendant arraigned and enters plea of GUILTY, and is adjudged GUILTY as charged, and sentence is passed to Tuesday, Feb. 23, 1971 at 10:00 A.M.(AEB-J)h
2-23-71	Defendant James Alfred Donald, Jr. present in person in person. Judgment and Sentence- James Alfred Donald, Jr.(28) It is adjudged that the defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for the maximum period of five (5) years, for a study as described in 18 U.S.C.A. Section 4208(c), the results of such study to be furnished this court within 90 days, where-upon the sentence of imprisonment herein imposed shall be subject to modification in accordance with 18 U.S.C.A. Section 4208(b).(AEB-J)h
2-23-71	Order of J&C filed and entered. (AEB-J)h
2-23-71	Two c.c. of above delivered to USM.h

(OVER)

DATE	PROCEEDINGS
3-9-71	CC of J & C returned, filed - defendant in custody U. S. Marshal from 1-18-71 at Tulsa County jail and delivered to Federal Reformatory at ElReno, Oklahoma on 3-4-71. b
6-8-71	Defendant present in person and rperesented. The government represented by Ben Baker. The Defendant havaing been convicted upon his plea of guilty and having on 2-23-71 been committed to the custody of the Atty. Gen. pursuant to 18 U.S.C.A. Sec. 4208(b) for imprisonment for a term of Five (5) years and for a study as described in 18 U.S.C.A. Sec. 4208(c) and the Court having now received and considered the report of such study, IT IS ADJUDGED that the period of imprisonment heretofore imposed is hereby reduced to Five (5) years, including time already served. IT IS FURTHER ordered by the court that the defendant may become eligible for parole at such time as the board of parole may determine as provided in T. 18, U.S.C. 4208(a)(2). (AEB-J)h
6-8-71	Order of J&C filed and entered. (AEB-J)h
6-8-71	Two c.c. of order delivered to USM.h
7-29-71	J&C, ret. & filed: defendant delivered to FCI, Texarkana, Tex. 6-18-71. g
8-19-71	Order, that motion pursuant to Rule 35 (letter) be overruled, filed. (AEB-J) ds. copy mailed to petitioner.
5-4-72	Plaintiff's petition for a copy of transcript, filed. ds
5-8-72	Order that def.'s req. for transcript at Govt. expense is overruled and dismissed. (AEB-J) rm - copies to all counsel and petitioner
5-16-72	Motion to withdraw plea under Rule 11, filed. ds
5-16-72	Motion for appointment of competent counsel, filed. ds
5-16-72	Motion for "Instanter" filed. ds
5-16-72	Affidavit in forma pauperis, filed. ds
5-25-72	Petitioner's motion to dismiss, filed. ds <i>copy to De</i>
5-31-72	Order, filed, that deft's motion to withdraw plea under Rule 11 is dismissed, deft's motion to dismiss said motion to withdraw plea is sustained, deft's motion for appointment of competent counsel & motion for instanter are overruled as moot and dismissed. (AEB-J)hm (copies mailed)
10-16-72	Transcript of proceedings on sentencing, 6-8-71, filed. (LEM-Rptr.) <i>file copy only</i>
10-27-72	Reporter's Transcript of Proceedings had on 2-9-71, for Plea and Arraignment, taken before Larry E. Marks, CSR, Filed. v (1 filed also)

UNITED STATES COMMISSIONER

Northern DISTRICT OF Oklahoma

RECORD OF PROCEEDINGS IN CRIMINAL CASES

BEFORE Jack C. Silver 411 U. S. Courthouse, Tulsa, Okla.
(Name of commissioner) (Address)

COMMISSIONER'S
DOCKET No. 1 CASE No. 186
THE UNITED STATES
vs.

James Alfred Donald, Jr.

Complaint filed on Jan. 18, 1971, by John R. DeWitt.
Official title Special Agent, FBI, charging violation of
United States Code, Title 18, Section 2312, on Jan. 15,
1971, at Creek County in the
division of the Northern district of Oklahoma
as follows: transport in interstate commerce from
Wichita, Kansas to Creek County, Okla. a stolen
1968 Ford Torino, Veh Identification number
8K42F222988, he then knowing the same to have
been stolen.

(Here insert brief summary of facts constituting offense charged)

WARRANTS OR SUMMONS ISSUED:

Date Jan. 18, 1971 Warrant/Summons for James Alfred Donald, Jr.
(Name of defendant)
to (name and title of officer)
Substance of return

Date Warrant/Summons for
to (name and title of officer)
Substance of return

PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO COMMISSIONER:

Date Jan. 18, 1971 Arrested by Carl Gardner
on warrant of Jack C. Silver
(Name of issuing officer)
without warrant.

Appearances { for United States Hubert H. Bryant
(Name) (Address)
for accused
(Name) (Address)

Proceedings taken on January 18, 1971, the accused present and not represented by
(Here insert with dates, when appropriate, a serialim account of essential steps taken at hearing such as "complaint prepared,"
Counsel. The accused was advised to his rights, the charge filed against him,
if arrest is without warrant: "defendant informed of complaint and right to retain counsel and preliminary hearing": "preliminary examination waived,"
and to a Preliminary hearing. The accused waived counsel and signed waiver,
if that is the fact; any adjournments taken, etc.
waives preliminary hearing. The accused signed Deft. affidavit for Appointed
Counsel. Mr. John S. Athens, of the 1st National Bk. Bldg., Tulsa, Okla. is
appointed. Bond is set in the amount of \$2,500.00, with the accused unable
to make bond is remanded to the custody of U. S. Marshal.

Outcome 1-18-71, accused waives preliminary hearing.

Bail fixed Jan. 18, 1971 Amount, \$ 2,500.00 Bonded
deposited by (name) Address
transmitted to clerk of district court, 19 [or] by surety
(name) Address
(name) Address, who
justified by affidavit dated, 19, [or] committed to
on, 19.

SUBPOENAS FOR WITNESSES ISSUED:

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date _____ Appearances for _____

{ United States (Name) _____
(Address) _____
Accused (Name) _____
(Address) _____

WITNESSES FOR UNITED STATES: (List names and addresses)

WITNESSES FOR ACCUSED: (List names and addresses)

Witness payroll containing _____ names certified to United States Marshal for payment _____, 19____
Proceedings taken _____

The accused waived preliminary hearing on Jan. 18, 1971.

Outcome _____

Bail fixed _____, 19____ Amount, \$ _____ Bonded _____, 19____, by cash
deposited by (name) _____ Address _____
transmitted to clerk of district court _____, 19____
[or] by surety (names) _____ Address _____
and _____ Address _____
who justified by affidavit _____, 19____ Committed to _____
on _____, 19____

Certified to be a correct transcript.

Made this 18th day of January, 19 71

Transmitted to Clerk of United States District Court for the Northern
district of Oklahoma, January 18, 19 71

United States Commissioner.